

LABOR SERVICES DIVISION[875]

Adopted and Filed

Pursuant to the authority of Iowa Code section 88.5, the Labor Commissioner hereby amends Chapter 10, “General Industry Safety and Health Rules,” Iowa Administrative Code.

The U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) promulgated new standards concerning walking and working surfaces for general industry. The Iowa Labor Commissioner must adopt the federal standards by reference.

The federal standard changes align general industry requirements with construction requirements, which is beneficial to employers that perform both types of activities. The federal standard changes give employers greater flexibility over deciding what method of compliance to use. The standards are reorganized and written in plain language. The standards are updated to reflect new technology and to align with other OSHA standards and national consensus standards.

It is estimated that 29 fatalities and 5,842 lost-workday injuries per year will be prevented by the new standards.

Various provisions have delayed effective dates. One provision will not become effective until 2036.

The principal reasons for adoption of this amendment are to implement legislative intent, protect the safety and health of Iowa workers, and make Iowa’s regulations current and consistent with federal regulations. Pursuant to Iowa Code subsection 88.5(1) and 29 CFR 1953.5, Iowa must adopt changes to the federal occupational safety and health standards.

After analysis and review of this rule making, jobs could be impacted. However, this amendment is implementing federally mandated regulations, and the State of Iowa is only implementing the federal regulations. The requirements imposed on Iowa businesses by these regulations do not exceed those imposed by federal law.

Notice of Intended Action was published in the December 21, 2016, Iowa Administrative Bulletin as **ARC 2866C**. No comments were received. This amendment is identical to that published under Notice of Intended Action.

No variance procedures are included in this rule. Variance procedures are set forth in 875—Chapter 5.

This amendment is intended to implement Iowa Code section 88.5 and 29 CFR 1953.5.

This amendment shall become effective on April 5, 2017.

The following amendment is adopted.

Amend rule **875—10.20(88)** by inserting the following at the end thereof:
81 Fed. Reg. 82981 (November 18, 2016)

[Filed 1/30/17, effective 4/5/17]

[Published 3/1/17]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 3/1/17.